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March 12, 2020

Via ECF

Hon. Sarah Netburn
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Rich v. Fox News Network, LLC*, No. 18-cv-2223

Dear Judge Netburn:

At this week's discovery conference, the Court ordered defendant Fox News Network, LLC to submit a letter no later than March 17, 2020, in support of its position that Exhibit 2 to plaintiffs' letter in opposition to Mr. Butowsky's motion to dismiss (Dkt. No. 126) should be filed under seal. The Court also ordered plaintiffs Joel and Mary Rich to file a reply no later than March 20, 2020.

Since the conference, Fox has agreed that Exhibit 2 may be publicly filed. Fox News gives that consent without waiver of its right to assert a state or federal newsgathering privilege over other documents in this litigation or any other litigation.

Accordingly, Fox News believes there is no longer a need for the parties to submit letter briefs concerning whether Exhibit 2 should remain filed under seal.

Respectfully,

/s/ Katherine Moran Meeks
Counsel for Fox News Network, LLC

cc: Counsel of record